




**Novi AML/CFT pravila: ključni detalji zašto su značajna?**

**New AML/CFT Rules: Key Updates & Why They Matter**

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Nedavno usvojene izmene i dopune Zakona o sprečavanju pranja novca i finansiranja terorizma („Sl. glasnik RS“, br. 19/2025) predstavljaju značajan korak u unapređenju pravnog okvira Republike Srbije u borbi protiv finansijskog kriminala.

Ove izmene imaju za cilj da osiguraju usklađenost sa međunarodnim standardima, povećaju efikasnost institucija u sprečavanju zloupotreba finansijskog sistema i unaprede mehanizme identifikacije sumnjivih transakcija.

The recently adopted amendments to the Law on the Prevention of Money Laundering and Financing of Terrorism (“Official Gazette of the RS”, No. 19/2025) represent a significant step towards enhancing the legal framework of the Republic of Serbia in the fight against financial crime.

These amendments aim to ensure compliance with international standards, increase the effectiveness of institutions in preventing abuses of the financial system, and improve mechanisms for identifying suspicious transactions.

## Proširenje definicije obveznika

Jedna od ključnih izmena odnosi se na proširenje definicije obveznika iz zakona. Prema novom zakonu obveznici su:

- Finansijske institucije – osim banaka, sada su obuhvaćene i platne institucije, institucije za elektronski novac i drugi subjekti koji pružaju finansijske usluge.
- Pravna i fizička lica koja se bave poslovanjem sa virtuelnim valutama – usklađivanje sa preporukama FATF-a zahtevalo je uključivanje kripto-berzi i platformi za trgovinu digitalnim valutama u sistem nadzora.
- Posrednici u nekretninama – svi agenti i firme koje posreduju u kupoprodaji nepokretnosti sada su u obavezi da prate transakcije i prijavljuju sumnjive aktivnosti

Ova promena omogućava širi nadzor nad potencijalnim kanalima za pranje novca i finansiranje terorizma, uz povećanu odgovornost subjekata koji učestvuju u finansijskim transakcijama.

## Expansion of the Definition of Obligated Entities

One of key changes is the expansion of the definition of “obliged entities” under the law. According to the new law, obliged entities are:

- Financial institutions– In addition to banks, payment institutions, electronic money institutions, and other entities providing financial services are now included.
- Legal and natural persons engaged in virtual currency operations – In order to align with the FATF recommendations, cryptocurrency exchanges and platforms for trading digital currencies have been brought under the supervisory framework.
- Real estate brokers – All agents and companies involved in real estate transactions are now required to monitor transactions and report suspicious activities.

This change allows for broader oversight of potential channels for money laundering and financing of terrorism, with increased responsibility for entities involved in financial transactions.

### **Proširenje definicije finansijskih institucija**

Zakon sada podrazumeva da finansijskim institucijama ne pripadaju samo domaće banke i platne institucije, već i njihovi ogranci u inostranstvu, kao i strane finansijske institucije koje posluju u Srbiji. Ovim proširenjem omogućava se bolja kontrola nad međunarodnim tokovima novca i smanjuje rizik od zloupotrebe kroz prekogranične transakcije.

### **Expansion of the Definition of Financial Institutions**

The law now specifies that financial institutions include not only domestic banks and payment institutions but also their foreign branches, as well as foreign financial institutions operating in Serbia. This extension enables better control over international money flows and reduces the risk of abuse through cross-border transactions.

### **Pojačana međunarodna saradnja**

- Razmena podataka, informacija i dokumentacije vrši se elektronskim putem, preko platforme Egmont grupe ili preko drugog sistema međunarodne komunikacije koji pruža isti ili veći nivo zaštite i poverljivosti podataka ili na drugi odgovarajući način u skladu sa međunarodnim sporazumom.
- Na zaštitu podataka, informacija i dokumentacije koje se razmenjuju primenjuju se odredbe zakona kojim se uređuje zaštita podataka o ličnosti. Omogućavanje razmene podataka između banaka i državnih organa u cilju identifikacije finansijskih mreža povezanih sa pranjem novca i finansiranjem terorizma.

Ove mere su posebno značajne u kontekstu evropskih integracija i jačanja položaja Srbije u međunarodnoj borbi protiv finansijskog kriminala.

### **Enhanced International Cooperation**

- The exchange of data, information, and documentation is conducted electronically via the Egmont Group platform or another international communication system providing the same or higher level of data protection and confidentiality, or in any other appropriate manner in accordance with international agreements.
- The provisions of the law governing the protection of personal data apply to the protection of data, information and documentation that is exchanged. Enabling the exchange of data between banks and state authorities in order to identify financial networks linked to money laundering and financing of terrorism.

These measures are particularly significant in the context of European integration and the strengthening of Serbia's position in the international fight against financial crime.

## **Rok za čuvanje podataka kod obveznika**

Jedna od značajnih promena jeste rok za čuvanje podataka. Nekada je rok bio najmanje deset godina od dana okončanja poslovnog odnosa, a sada je obveznik dužan da podatke i dokumentaciju u vezi sa strankom, uspostavljenim poslovnim odnosom sa strankom, izvršenom analizom rizika i izvršenom transakcijom, pribavljene u skladu sa ovim zakonom, kao i dosije stranke, poslovnu korespondenciju i rezultate bilo koje analize koju je izvršio u vezi sa strankom čuva pet godina od dana okončanja poslovnog odnosa, izvršene transakcije, odnosno od poslednjeg pristupa sefu ili ulaska u igračnicu.

Obveznik je dužan da u roku od pet godina čuva i video-zvučni zapis utvrđivanja i provere identiteta koji je nastao u postupku video-identifikacije, kao i podatke i dokumentaciju o ovlašćenom licu, zameniku ovlašćenog lica, stručnom osposobljavanju zaposlenih i izvršenim unutrašnjim kontrolama čuva pet godina od dana prestanka dužnosti ovlašćenog lica, izvršenog stručnog osposobljavanja ili izvršene unutrašnje kontrole.

## **Data Retention Requirements for Obligated Entities**

One of the significant changes is the data retention period. Previously, the period was at least ten years from the date of termination of the business relationship, but now the obliged entity has to retain data and documentation related to the customer, the established business relationship with the customer, the risk analysis performed and the transaction performed, obtained in accordance with this law, as well as the customer file, business correspondence and the results of any analysis performed in relation to the customer for five years from the date of termination of the business relationship, the transaction performed, or the last access to the safe or entry into the gaming room.

The obliged entity must retain, the video and audio recording of the identification and verification of identity created in the video identification procedure, as well as data and documentation on the authorized person, the deputy authorized person, the professional training of employees and the internal controls performed for five years from the date of termination of the duties of the authorized person, the professional training performed or the internal control performed for the period of five years.

### **Digitalizacija sistema**

Ovim zakonom su jasnije određeni pojmovi kojima se definiše digitalna imovina i pojmovi koji su povezani sa digitalnim poslovanjem kao što su pružaoci usluga povezanih s digitalnom imovinom, adresa decentralizovane baze podataka itd. i način na koji se postupa sa digitalnom imovinom, a u smislu sprečavanja pranja novca.

### **Digitalization of the System**

The law more clearly defines terms related to digital assets and concepts associated with digital transactions, such as providers of digital asset services, decentralized database addresses, and how digital assets should be handled in relation to preventing money laundering.



## Razlozi za donošenje izmena

Razlozi za donošenje ovih izmena su višestruki:

- Usklađivanje sa međunarodnim standardima – FATF i EU zahtevaju striktnije mere za borbu protiv finansijskog kriminala, što je preduslov za dalje evropske integracije Srbije.
- Povećanje efikasnosti borbe protiv pranja novca – preciznije definisanje obveznika i pojačane mere izveštavanja omogućavaju bolju detekciju sumnjivih aktivnosti.
- Digitalizacija i sigurnost finansijskog sistema – primena novih tehnologija povećava transparentnost i smanjuje mogućnost prevara.
- Jačanje međunarodne saradnje – Srbija postaje aktivniji učesnik u globalnim inicijativama protiv finansijskog kriminala.

## Rationale behind the Amendments

The reasons for implementing these changes are multifaceted:

- Alignment with international standards – The FATF and EU require stricter measures to combat financial crime, which is a prerequisite for Serbia's further European integration.
- Increased efficiency in fighting money laundering – More precise definitions of obliged entities and enhanced reporting measures will allow for better detection of suspicious activities.
- Digitalization and financial system security– The adoption of new technologies enhances transparency and reduces the risk of fraud.
- Strengthened international cooperation– Serbia becomes a more active participant in global initiatives against financial crime.



## Zaključak

Izmene i dopune Zakona o sprečavanju pranja novca i finansiranja terorizma donose značajne promene u načinu na koji se kontrolišu finansijske transakcije u Srbiji. Proširenje definicije obveznika, rokovi za čuvanje podataka, pojačana međunarodna saradnja i digitalizacija sistema predstavljaju ključne korake ka jačanju otpornosti finansijskog sektora na zloupotrebe

## Conclusion

The amendments to the Law on the Prevention of Money Laundering and Financing of Terrorism introduce significant changes in how financial transactions are monitored in Serbia. The expansion of the definition of obliged entities, the data retention period, enhanced international cooperation, and the digitalization of systems are critical steps in strengthening the resilience of the financial sector against abuse.

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